

REMARKS

Claims 1 and 3 are amended and claims 2, 4, 7, 10 and 15-20 have been cancelled without prejudice or disclaimer. Claims 1, 3, 5, 6, 8, 9 and 11-14 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Response To Claim Objection and Rejections

Claims 1, 3, 5, 6, 8, 9 and 11-16 are objected to with regard to the phrase “for the entire duration the” (where the Examiner suggests that the cited phrase be changed to “for the entire duration of the.” Claims 1 and 3 are amended as suggested by the Examiner. Accordingly, Applicant requests that the objection to the claims be withdrawn.

Claims 1, 3, 6, 9 and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi (U.S. Patent No. 6,601,289). Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi.

Applicant notes with appreciation, the Examiner’s indication that claims 15 and 16 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

By the present Amendment and Reply, claim 1 is amended to include the subject matter of allowable claim 15. Similarly, claim 3 is amended to include the subject matter of allowable claim 16. No intervening claims were in the chain between original claim 15 and claim 1 and between original claim 16 and claim 3. Accordingly, by the present amendments, claim 1 is now equivalent to an independent version of previous claim 15. Similarly, claim 3 is now equivalent to an independent version of previous claim 16. Claims 1 and 3 are, therefore, in condition for allowance.

Claims 15 and 16 are cancelled, without prejudice or disclaimer, to avoid redundancy. Claim 17-20 were withdrawn from consideration and are cancelled herein to expedite an allowance of the subject matter presently identified as allowable. However, Applicant

reserves the right to continue to prosecute the subject matter of the cancelled claims in further applications.

Concluding Remarks

After amending the claims as set forth above, claims 1, 3, 5, 6, 8, 9 and 11-14 are pending in this application.

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date: March 22, 2010

FOLEY & LARDNER LLP

Customer Number: 23392

Telephone: (213) 972-4500

Facsimile: (213) 486-0065

By: 

Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933